

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHARLES SCURLOCK,

Plaintiff,

v.

PENTHOUSE INTERNATIONAL)
ENTERTAINMENT CONSULTANTS IEC,)

Defendants.)

Case No. 3:15-cv-338-JPG-DGW

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court is the Motion to Compel filed by Plaintiff, Charles Scurlock, on August 11, 2016 (Doc. 40). The Motion is **DENIED**.

Plaintiff states that he mailed discovery requests on July 19, 2016, prior to a scheduled deposition to occur on August 4, 2016 at the Federal Courthouse in East St. Louis, Illinois, to Defendants (both interrogatories and requests to produce). Federal Rules of Civil Procedure 33 and 34 provide that a party has 30 days to respond to written discovery requests. As such, Defendants had until August 18, 2016 to respond. Plaintiff's motion, filed on August 11, 2016, is premature. Plaintiff is further informed that prior to filing a Motion to Compel, he must confer or attempt to confer with Defendants as to responses to discovery requests that he believes are deficient. *See* Fed.R.Civ.P. 37(d)(1)(B). In any event, it appears that Defendant has cured some of the deficiencies/errors raised in his motion and that the parties have or should be able to resolve the issues with the depositions of Larry Scott and Jim Lindsey. The discovery deadline in this matter is October 11, 2016. The Court assumes the parties can or have worked out a schedule to depose the remaining witnesses in this matter. Plaintiff is advised to ensure that all persons are

aware of the date and location of any future deposition in order to avoid further delay and unnecessary expense.

DATED: September 19, 2016



DONALD G. WILKERSON
United States Magistrate Judge